

1 thermal effluent limitation established under s. ~~147.05 (4)~~ 147.055 or any  
2 ~~proposed water quality related~~ based effluent limitation established under s.  
3 ~~147.05 (1)~~ 147.04 (5). The review under this section may not include issues  
4 regarding social and economic impacts which could be raised under s. 147.05.

5 Such review shall be accomplished in the following manner:

6 ••87b1303/1 •• 87b1780/en••SECTION 1846mu. 147.20 (1) (am) of the stat-  
7 utes is created to read:

8 147.20 (1) (am) After a verified petition for review is filed and until  
9 the department issues a decision on the petition, the permittee is not  
10 required to comply with any term or condition, thermal effluent limitation or  
11 water quality based effluent limitation which is the subject of the petition.  
12 All other provisions of the permit continue in effect except those for which  
13 an application for a variance has been submitted under s. 147.05.

14 ••87b1303/1 •• 87b1780/en••SECTION 1846mw. 147.20 (4) of the statutes is  
15 created to read:

16 147.20 (4) Subsections (1) and (2) do not apply to the modification of a  
17 permit which implements a decision under s. 147.05 or the denial of a request  
18 for a variance under s. 147.05. A proceeding under subs. (1) and (2) shall  
19 not be delayed pending completion of the review of a variance request under s.  
20 147.05.

21 ••87b0600/1 •• 87b1226/2••SECTION 1854n. 150.01 (4) of the statutes is  
22 repealed.

23 ••87b0358/3••SECTION 1854r. 150.01 (7) of the statutes is repealed.

24 ••87-1246/3••SECTION 1855. 150.01 (19) of the statutes is amended to  
25 read:

26 150.01 (19) "Statewide bed limit" means the maximum number of nursing  
27 home beds or beds in facilities primarily serving the developmentally disabled  
28 allowed to be licensed under ch. 50.

1       ••87b0358/3••SECTION 1855g. 150.11 (1) and (2) of the statutes are  
2 amended to read:

3       150.11 (1) The department may refuse to issue or renew any license for a  
4 nursing home, ~~and any approval for a hospital~~, that fails to comply with this  
5 chapter.

6       (2) No person may recover through charges or rates any depreciation,  
7 interest or principal payments or any operating expenses associated with a  
8 project subject to ~~this chapter~~ subch. II that does not have the department's  
9 approval.

10       ••87b0358/3••SECTION 1855r. 150.11 (3) (a) and (b) of the statutes are  
11 amended to read:

12       150.11 (3) (a) If a project whose cost falls below the minimum threshold  
13 specified in s. 150.21 (3) or (4) ~~or 150.61 (1), (2) or (3)~~ incurs costs  
14 exceeding the threshold, the person who operates the project shall submit an  
15 application for the department's approval under s. 150.21 ~~or 150.61~~.

16       (b) If a project that has received the department's approval incurs a  
17 cost overrun, the person who operates the project shall submit another appli-  
18 cation for the department's approval under s. 150.21 ~~or 150.61~~.

19       ••87-2020/2••SECTION 1856. 150.11 (3) (c) of the statutes is amended to  
20 read:

21       150.11 (3) (c) Any person required to submit an application under this  
22 subsection for the department's approval under s. 150.21 shall comply with the  
23 time limits for submission of applications under s. 150.33 (3) and (3m). The  
24 department shall afford an applicant under this subsection a reasonable time  
25 to obtain its approval but if it rejects the application it may refuse to  
26 issue or renew a license or approval, as specified in sub. (1), and costs  
27 associated with the project may not be recovered through charges or rates, as  
28 specified in sub. (2). If the department approves the project it shall impose

1 a forfeiture on the person who operates the project of not less than 10% and  
2 not more than 50% of the costs exceeding the threshold under par. (a) or of  
3 the cost overrun under par. (b). Project approval takes effect only after  
4 payment of the forfeiture has been made.

5 ••87b0358/3••SECTION 1857m. 150.15 of the statutes is repealed.

6 ••87-1246/3••SECTION 1859. 150.21 (5) of the statutes is created to read:  
7 150.21 (5) The partial or total conversion of a nursing home to a facil-  
8 ity primarily serving the developmentally disabled or of a facility primarily  
9 serving the developmentally disabled to a nursing home.

10 ••87-2076/6••SECTION 1860. 150.27 of the statutes is amended to read:

11 150.27 LIMITATION ON PER DIEM RATES. The per diem rates stated in an  
12 application being reviewed under this subchapter are the maximum allowable  
13 reimbursement that may be granted by the department for the first full year  
14 following licensure of the new beds or completion of the approved project. If  
15 the medical assistance ~~reimbursement~~ facility payment formula under s. 49.45  
16 (6m) generates per diem rates that are less than those stated in the applica-  
17 tion under review, the department shall use the lower rates.

18 ••87-1246/3••SECTION 1861. 150.31 (1) (intro.) of the statutes is amended  
19 to read:

20 150.31 (1) (intro.) In order to enable the state to budget accurately for  
21 medical assistance and to allocate fiscal resources most appropriately, the  
22 maximum number of licensed nursing home beds statewide is ~~51,959~~ 51,795 and  
23 the maximum number of beds statewide in facilities primarily serving the  
24 developmentally disabled is ~~3,512~~. ~~The department may decrease these limits~~  
25 ~~by the amount of any reduction in the actual number of available beds in~~  
26 ~~accordance with criteria promulgated by the department by rule~~ 3,704. The  
27 department may adjust these limits on licensed beds as provided in subs. (2)

1 to ~~(4)~~ (6). The department shall also biennially recommend changes to this  
2 limit based on the following criteria:

3 ••87-1246/3••SECTION 1862. 150.31 (1) (b) of the statutes is repealed.

4 ••87b0407/1••SECTION 1863m. 150.31 (3m) of the statutes is created to  
5 read:

6 150.31 (3m) The department shall decrease the statewide bed limit speci-  
7 fied in sub. (1) in nursing homes to account for any decreased use of nursing  
8 home beds under s. 46.266.

9 ••87-1246/3••SECTION 1864. 150.31 (5) of the statutes is renumbered  
10 150.31 (7) and amended to read:

11 150.31 (7) The department may not approve or license any additional  
12 nursing home beds if the addition of those beds would exceed the limits  
13 established under subs. (1) to ~~(4)~~ (6).

14 ••87-1246/3••SECTION 1865. 150.31 (5) of the statutes is created to read:

15 150.31 (5) The department may decrease the statewide bedlimits specified  
16 in sub. (1) to account for any reduction of available beds not included under  
17 sub. (3) or (4), in accordance with criteria promulgated by rule.

18 ••87-1246/3••SECTION 1866. 150.31 (6) of the statutes is renumbered  
19 150.31 (8).

20 ••87-1246/3••SECTION 1867. 150.31 (6) of the statutes is created to read:

21 150.31 (6) The department may adjust the statewide bed limits specified  
22 in sub. (1) to account for the partial or total conversion of nursing homes to  
23 facilities primarily serving the developmentally disabled or of facilities  
24 primarily serving the developmentally disabled to nursing homes. The depart-  
25 ment may promulgate rules limiting the number of nursing home beds converted  
26 under this subsection, allocating the beds so converted, and establishing  
27 standards for the limitation and allocation.

1       ••87b1455/5 •• 87b1990/en••SECTION 1867m. 150.32 of the statutes is  
2 created to read:

3       150.32 DISTINCT-PART FACILITIES PRIMARILY SERVING THE DEVELOPMENTALLY  
4 DISABLED. (1) Upon application to the department, the department may approve  
5 the operation for a period of time not to exceed 4 years of a distinct part of  
6 a nursing home as a facility primarily serving the developmentally disabled.  
7 Renewals of approvals initially granted under this subsection may be granted  
8 for periods of time not to exceed 4 years and only if all of the following  
9 conditions are met by the renewal applicant:

10       (a) Continued operation of the facility primarily serving the develop-  
11 mentally disabled meets the review criteria and standards under ss. 150.31 (6)  
12 and 150.39.

13       (b) There is continued need, as determined by the department, for the  
14 facility primarily serving the developmentally disabled in the health planning  
15 area in which the facility is located.

16       (c) Community-based services, including services developed under s.  
17 46.278, are inappropriate for the individuals served in the facility primarily  
18 serving the developmentally disabled.

19       (2) The department may require that a nursing home seeking approval or a  
20 facility primarily serving the developmentally disabled seeking renewal under  
21 sub. (1) agree to reduce the size of the facility primarily serving the  
22 developmentally disabled, under a plan submitted by the facility and approved  
23 by the department, during the approval or renewal period, in order to reflect  
24 reduced service need or increased availability of community-based services  
25 providing long-term care.

26       (3) Notwithstanding s. 150.31 (6), the department may waive any minimum  
27 size limits established under s. 150.31 (6) for a facility with an approved  
28 plan under sub. (2).

(4) Notwithstanding s. 150.29, if initial approval of a facility primarily serving the developmentally disabled is not renewed under sub. (1) or if approval or renewal is conditioned upon the requirement of sub. (2), reconversion to nursing home beds of beds which may not be operated as part of a facility primarily serving the developmentally disabled does not require approval under s. 150.29.

••87-2020/2••SECTION 1868. 150.33 (title) and (1) of the statutes are amended to read:

150.33 (title) APPLICATIONS FOR AVAILABLE BEDS. (1) At least once each year the department shall publish a class 2 notice under ch. 985 concerning the number of ~~additional~~ nursing home beds and beds in facilities primarily serving the developmentally disabled, if any, ~~to be allowed that are available~~ under s. 150.31 or 150.40 in each of its health planning areas. The department shall ~~define~~ promulgate rules defining the boundaries of these areas by rule. The notice shall state the procedures by which any person may apply ~~and receive for~~ approval for those beds.

••87-2020/2••SECTION 1869. 150.33 (2) of the statutes is repealed.

••87-2020/2••SECTION 1870. 150.33 (3) of the statutes is amended to read:

150.33 (3) The department shall provide forms for submitting applications but may only accept applications submitted within 60 days after it publishes a notice under sub. (1) ~~or (2)~~.

••87-2020/2••SECTION 1871. 150.33 (4) of the statutes is repealed and recreated to read:

150.33 (4) The department shall issue a class 2 notice under ch. 985 within 20 days after the date on which it declares all applications complete under sub. (3m), listing all applicants and describing their applications.

••87-2020/2••SECTION 1872. 150.34 of the statutes is created to read:

150.34 OTHER APPLICATIONS.

(1) Any person intending to engage in activities subject to this subchapter not specified under s. 150.33 shall notify the department in writing of this intent at least 30 days prior to submitting an application for review. An application expires unless the department declares the application complete under sub. (2) within 365 days after the date the department receives notice of the applicant's intent to engage in the activity. The department shall provide forms for submitting applications under this section.

(2) The department shall review each application it receives for completeness. If the department finds that the application is incomplete, it shall notify the applicant of the information required within 10 working days after receiving the application. The department shall declare the application complete on the date on which both the department and the applicable health systems agency receive all the required information.

(3) The department shall issue a class 2 notice under ch. 985 on or before the 20th day of the month following the month in which it declares an application complete under sub. (2), listing the applicant and describing the applicant's proposed activity.

••87-2020/2••SECTION 1873. 150.35 (title) of the statutes is amended to read:

150.35 (title) REVIEW PROCEDURES.

••87-2020/2••SECTION 1874. 150.35 (1) of the statutes is renumbered 150.33 (3m) and amended to read:

150.33 (3m) The department shall review each application it receives for completeness. If the department finds that the application is incomplete, it shall notify the applicant of the information required within 10 working days after receiving the application. Each applicant shall provide any required additional information within 30 days following the closing date for accepting

1 applications specified in ~~s. 150.33 sub. (3)~~. The department may not accept  
2 for review any incomplete application if it fails to receive the additional  
3 information within this 30-day period until it issues another public notice  
4 soliciting applications under ~~s. 150.33 (1) or (2) sub. (1)~~. The department  
5 shall declare the application complete on the date on which both the depart-  
6 ment and the applicable health systems agency receive all the required  
7 information.

8 ••87-2020/2••SECTION 1875. 150.35 (2) of the statutes is amended to read:  
9 150.35 (2) ~~The department shall issue a class 2 notice under ch. 985~~  
10 ~~within 20 days after the date on which it declares all applications complete~~  
11 ~~under sub. (1), listing all applicants and describing their projects. Each~~  
12 ~~health systems agency shall hold a public meeting upon the request of an~~  
13 ~~affected party to review projects applications under s. 150.33 or 150.34~~  
14 ~~seeking approval in its service area, at which all affected parties may~~  
15 ~~present testimony. The health systems agency shall make recommendations on~~  
16 ~~these projects applications within 60 days after the department issues its~~  
17 ~~notice under s. 150.33 (4) or 150.34 (3) declaring all applications complete.~~  
18 The health systems agency shall keep minutes or other record of testimony  
19 presented at the public meeting and shall send a copy of this record, ~~plus and~~  
20 its recommendations, to the department. If an applicant seeks approval of a  
21 project outside the service area of any health systems agency, the department  
22 shall conduct the public meeting under this subsection and formulate  
23 recommendations.

24 ••87-2020/2••SECTION 1876. 150.35 (3) of the statutes is amended to read:  
25 150.35 (3) The Except as provided under sub. (3m), the department shall  
26 issue an initial finding to approve or reject the ~~project~~ application within  
27 75 days after the date it publishes its notice under ~~sub. (2) s. 150.33 (4) or~~  
28 150.34 (3), unless all applicants consent to an extension of this period. The



1 department may extend by 60 days the review cycle of all ~~projects~~ applications  
2 being concurrently reviewed ~~under sub. (2)~~, if it finds that completing the  
3 reviews within 75 days after the date it publishes its notice under ~~sub. (2)~~  
4 s. 150.33 (4) or 150.34 (3) is not practicable due to the volume of applica-  
5 tions received from any health planning area. The department shall base its  
6 initial finding on a comparative analysis of applications, relying on the  
7 criteria specified in s. 150.39 and the recommendations received from the  
8 health systems agency under sub. (2). The applicant has the burden of  
9 proving, by a preponderance of the evidence, that each of the criteria speci-  
10 fied in s. 150.39 has been met or does not apply to the project. The depart-  
11 ment may approve fewer additional nursing home beds than allowed by the  
12 statewide bed limit if the cost of adding those beds exceeds the medical  
13 assistance allocation for new beds projected in s. 150.31 (1) (e). Unless an  
14 adversely affected applicant or health systems agency makes a timely request  
15 for a public hearing under sub. (4), the department's initial finding under  
16 this subsection is its final action.

17 ••87-2020/2••SECTION 1877. 150.35 (3m) of the statutes is created to  
18 read:

19 150.35 (3m) The department may receive any application which was devel-  
20 oped under a plan of correction, as defined in s. 50.01 (4r), previously  
21 approved by the department and which does not add beds to the current licensed  
22 bed capacity of a health planning area, or any application involving a cost  
23 overrun submitted under s. 150.11 (3). Subsection (2) does not apply to these  
24 applications. The applicable health systems agency shall submit its recom-  
25 mendation on applications submitted under this subsection within 55 days after  
26 receipt of a complete application by both the health systems agency and the  
27 department. Within 60 days after it receives a completed application, the  
28 department shall, according to procedures it promulgates by rule, review the

1 application and issue its initial finding. No public meeting need be held on  
2 any project submitted under this subsection. Unless an adversely affected  
3 applicant or health systems agency makes a timely request for a public hearing  
4 under sub. (4), the department's initial finding under this subsection is its  
5 final decision.

6 ••87-2020/2••SECTION 1878. 150.35 (4) (a) and (b) (intro.) of the stat-  
7 utes are amended to read:

8 150.35 (4) (a) Any applicant whose project is rejected or any adversely  
9 affected health systems agency may request a public hearing to review the  
10 department's initial finding under sub. (3) or (3m), if the request is sub-  
11 mitted in writing within 10 days after the department's decision. The  
12 department shall commence the hearing within 30 days after receiving a timely  
13 request, unless all parties consent to an extension of this period.

14 (b) (intro.) Sections 227.42 to 227.50 do not apply to hearings under  
15 this subsection. The department shall ~~adopt~~ promulgate rules to establish:

16 ••87-2078/4••SECTION 1879. 150.40 (2) (a) of the statutes is amended to  
17 read:

18 150.40 (2) (a) Nursing home beds closed under a plan approved by the  
19 department under s. 46.277 (3) (b) or 46.278 (4) (b) 1, as a result of the  
20 relocation of former residents to community-based settings.

21 ••87-2020/2••SECTION 1880. 150.43 (1) and (6) of the statutes are amended  
22 to read:

23 150.43 (1) The application and all supporting material received prior to  
24 the department's decision under s. 150.35 (3) or (3m).

25 (6) The department's findings and conclusions issued under s. 150.35 (3)  
26 or (3m).

27 ••87b0358/3••SECTION 1881a. Subchapter III (title) of chapter 150 of the  
28 statutes is repealed and recreated to read:

## CHAPTER 150

## SUBCHAPTER III

## GENERAL PROVISIONS

••87b0358/3••SECTION 1881c. 150.61 of the statutes is repealed.

••87b0358/3••SECTION 1881e. 150.613 of the statutes is repealed.

••87b0358/3••SECTION 1881f. 150.615 of the statutes is repealed.

••87b1870/3 •• 87b1990/en••SECTION 1881h. 150.62 of the statutes is repealed.

••87b0358/3••SECTION 1881i. 150.63 of the statutes is repealed.

••87b0358/3••SECTION 1881k. 150.65 of the statutes is repealed.

••87b0358/3••SECTION 1881L. 150.67 of the statutes is repealed.

••87b0358/3••SECTION 1881n. 150.69 of the statutes is repealed.

••87b0358/3••SECTION 1881o. 150.71 of the statutes is repealed.

••87b0358/3••SECTION 1881q. 150.73 of the statutes is repealed.

••87b0358/3••SECTION 1881r. 150.75 of the statutes is repealed.

••87b0358/3••SECTION 1881t. 150.79 of the statutes is repealed.

••87b0358/3••SECTION 1881u. 150.81 of the statutes is repealed.

••87b1870/3 •• 87b1990/en••SECTION 1881v. 150.83 (1) of the statutes is renumbered 150.83 and amended to read:

150.83 STATE MEDICAL FACILITIES PLAN. The department shall adopt a state medical facilities plan at least once every 3 years that includes a description of the hospital system in the state and identifies needed or surplus hospital beds. Each plan, except the initial plan adopted under this ~~subsection~~ section, shall also include a description of needed and surplus health services plus other components the department finds useful.

••87b1870/3 •• 87b1990/en••SECTION 1881vm. 150.83 (2) of the statutes is repealed.

••87b0358/3••SECTION 1881y. 150.85 of the statutes is amended to read:

1        150.85 SUBCHAPTER APPLICABILITY.    ~~Sections 150.61 to Section~~ 150.83 ~~do~~  
2        ~~does~~ not apply after July 1, 1989.

3        ••87b0405/2••SECTION 1882m. 150.90 of the statutes is created to read:

4        150.90 ENFORCEMENT PROHIBITED. Beginning on the effective date of this  
5        section .... [revisor inserts date], no person may do any of the following:

6        (1) Enforce the provisions of the capital expenditure review program  
7        under this subchapter or rules promulgated, orders issued or conditions  
8        imposed under the provisions of the capital expenditure review program under  
9        this subchapter in effect prior to the effective date of this subsection ....  
10       [revisor inserts date].

11       (2) Enforce the provisions of the certificate of need program under  
12       subch. II or rules promulgated, orders issued or conditions imposed under the  
13       provisions of the certificate of need program under subch. II in effect prior  
14       to July 2, 1983.

15       ••87b0419/1••SECTION 1883s. 157.02 (1) of the statutes is amended to  
16       read:

17       157.02 (1) NOTICE TO RELATIVES. When an inmate of any state, county or  
18       municipal institution dies, the superintendent or other person in charge of  
19       the institution shall immediately notify a relative of the decedent. A public  
20       officer having the possession or the disposition of a corpse shall immediately  
21       notify a relative of the decedent. If no relative is known, or discoverable  
22       by use of ordinary diligence, notice may be dispensed with. In addition, if  
23       the deceased had been an inmate of a state correctional institution, the  
24       department shall provide written notification to the relative informing him or  
25       her that the department, upon request, will provide a copy of any autopsy  
26       report or other report or information pertaining to the death. The department  
27       shall describe how the request may be made and shall promptly comply with any  
28       such request.

1       ••87b0637/1   •• 87b1226/2••SECTION 1883t. 157.063 (4) of the statutes is  
2 amended to read:

3       157.063 (4) Whenever any cemetery in a town is falling into disuse, or is  
4 abandoned or neglected, and by reason of the removal or death of the persons  
5 interested in its upkeep there exists no association or group with authority  
6 to transfer such cemetery to the town, the town board, at the expense of the  
7 town, shall take charge of the cemetery and manage and care for it, and if the  
8 town board fails to do so, having notice thereof, the circuit judge may, upon  
9 petition by the district attorney of the county where the cemetery is located  
10 or upon petition by 6 or more persons interested in the upkeep of the  
11 cemetery, order its transfer to the town, including the transfer of all  
12 assets. Cemeteries so transferred shall be managed as provided for other town  
13 cemeteries.

14       ••87b0188/4••SECTION 1884m. 157.70 (5) (d) of the statutes is created to  
15 read:

16       157.70 (5) (d) The director may charge a fee to recover the cost of  
17 excavation of a cataloged burial site under par. (c) 3 on the basis of the  
18 historical society's assessment of the costs associated with excavation of the  
19 cataloged site.

20       ••87-1340/7••SECTION 1885. 165.055 (3) of the statutes is amended to  
21 read:

22       165.055 (3) The attorney general may appoint in the unclassified service  
23 a director of research and information services, ~~whose salary shall not exceed~~  
24 ~~the maximum of range 15 in pay schedule 1 of the classified service.~~

25       ••87b0206/2••SECTION 1885g. 165.50 (3) of the statutes is created to  
26 read:

27       165.50 (3) Except as provided in s. 20.001 (5), all moneys received as  
28 restitution payments reimbursing the department of justice for moneys expended

1 in undercover investigations and operations shall be deposited as general  
2 purpose revenue -- earned.

3 ••87b0205/2••SECTION 1885m. 165.75 (5) of the statutes is created to  
4 read:

5 165.75 (5) Except as provided in s. 20.001 (5), all moneys received as  
6 restitution payments reimbursing the department for moneys expended by the  
7 laboratories shall be deposited as general purpose revenue -- earned.

8 ••87b0372/1••SECTION 1886b. 165.82 of the statutes is created to read:

9 165.82 CRIMINAL HISTORY SEARCH FEE. (1) Notwithstanding s. 19.35 (3),  
10 the department of justice shall impose the following fees for criminal history  
11 searches for purposes unrelated to criminal justice:

12 (a) For each record check requested by a governmental agency or nonprofit  
13 organization, \$2.

14 (b) For each record check by any other requester, \$10.

15 (2) The department of justice shall not impose fees for criminal history  
16 searches for purposes related to criminal justice.

17 ••87b0496/3••SECTION 1886c. 165.825 of the statutes is created to read:

18 165.825 CRIMINAL AND JUVENILE JUSTICE. The department of justice shall:

19 (1) Collect from any state or local governmental entity information,  
20 data, reports, statistics or other material which is necessary to perform the  
21 department's duties and functions.

22 (2) Maintain a statistical analysis center to serve as a clearinghouse of  
23 justice system data and information and conduct justice system research and  
24 data analysis under s. 165.83 (2).

25 ••87b0496/3••SECTION 1886e. 165.83 (2) (k) of the statutes is renumbered  
26 165.83 (2) (s).

27 ••87b0496/3••SECTION 1886g. 165.83 (2) (m) of the statutes is renumbered  
28 165.83 (2) (t).

1       ••87b0496/3••SECTION 1886i. 165.83 (2) (q) of the statutes is created to  
2 read:

3       165.83 (2) (q) Collect information concerning the number and nature of  
4 offenses known to have been committed in this state and such other information  
5 as may be useful in the study of crime and the administration of justice. The  
6 department may determine any other information to be obtained regarding crime  
7 and justice system statistics. The information shall include such data as may  
8 be requested by the federal bureau of investigation under its system of uni-  
9 form crime reports for the United States.

10       ••87b0496/3••SECTION 1886j. 165.83 (2) (r) of the statutes is created to  
11 read:

12       165.83 (2) (r) Furnish all reporting officials with forms or instructions  
13 or both which specify the nature of the information required under par. (q),  
14 the time it is to be forwarded, the method of classifying and any other mat-  
15 ters which facilitate collection and compilation.

16       ••87b0496/3••SECTION 1886m. 165.83 (2) (u) of the statutes is created to  
17 read:

18       165.83 (2) (u) Cooperate with other agencies of this state, the crime  
19 information agencies of other states and the uniform crime reports system of  
20 the federal bureau of investigation in developing and conducting an  
21 interstate, national and international system of criminal statistics.

22       ••87b0496/3••SECTION 1886p. 165.83 (3) of the statutes is created to  
23 read:

24       165.83 (3) All persons in charge of law enforcement agencies and other  
25 criminal and justice system agencies shall supply the department with the  
26 information described in sub. (2) (q) on the basis of the forms and instruc-  
27 tions to be supplied by the department under sub. (2) (r).

1       ••87-1913/5••SECTION 1888. 165.87 (1) (intro.) of the statutes is amended  
2 to read:

3       165.87 (1) FUND. (intro.) On or after ~~July 2, 1983~~ the effective date  
4 of this subsection .... [revisor inserts date]:

5       ••87-1913/5••SECTION 1889. 165.87 (1) (a) of the statutes is amended to  
6 read:

7       165.87 (1) (a) ~~Eleven-fifteenths~~ Eleven-nineteenths of all moneys col-  
8 lected from penalty assessments under this section shall be deposited in s.  
9 20.455 (2) (i) and utilized in accordance with ~~s-~~ ss. 20.455 (2) and 165.85  
10 (5). The moneys deposited in s. 20.455 (2) (1), except for the moneys trans-  
11 ferred to s. 20.455 (2) (jb) and (jc), constitute the law enforcement training  
12 fund.

13       ••87-1913/5••SECTION 1890. 165.87 (1) (b) of the statutes is amended to  
14 read:

15       165.87 (1) (b) ~~Two-fifteenths~~ Two-nineteenths of all moneys collected  
16 from penalty assessments under this section shall be deposited in s. 20.435  
17 (3) (jp) and utilized in accordance with s. 46.057.

18       ••87b0496/3••SECTION 1892a. 165.87 (1) (bn) of the statutes is created to  
19 read:

20       165.87 (1) (bn) Three-nineteenths of all moneys collected from penalty  
21 assessments under this section shall be deposited in and utilized in accor-  
22 dance with s. 20.420 (1) (g), except for moneys transferred to ss. 20.420 (1)  
23 (h) and 20.435 (4) (jk). In regard to any grant to any local unit of govern-  
24 ment for which the state is providing matching funds from moneys under this  
25 paragraph, the local unit of government shall provide matching funds equal to  
26 at least 10% of the grant.

27       ••87b0496/3••SECTION 1892b. 165.87 (1) (bn) of the statutes, as created  
28 by 1987 Wisconsin Act .... (this act), is amended to read:



1        165.87 (1) (bn) Three-nineteenths of all moneys collected from penalty  
2 assessments under this section shall be deposited in and utilized in accor-  
3 dance with s. ~~20.420 (1)~~ 20.505 (6) (g), except for moneys transferred to ss.  
4 ~~20.420 (1) (h)~~ and 20.435 (4) (jk) and 20.505 (6) (h). In regard to any grant  
5 to any local unit of government for which the state is providing matching  
6 funds from moneys under this paragraph, the local unit of government shall  
7 provide matching funds equal to at least 10% of the grant.

8        ••87-1913/5••SECTION 1893. 165.87 (2) (a) of the statutes is amended to  
9 read:

10        165.87 (2) (a) On or after ~~July 2, 1983~~ the effective date of this para-  
11 graph .... [revisor inserts date], whenever a court imposes a fine or forfei-  
12 ture for a violation of state law or for a violation of a municipal or county  
13 ordinance except for state laws or municipal or county ordinances involving  
14 nonmoving traffic violations, there shall be imposed in addition a penalty  
15 assessment in an amount of ~~15%~~ 19% of the fine or forfeiture imposed. If  
16 multiple offenses are involved, the penalty assessment shall be based upon the  
17 total fine or forfeiture for all offenses. When a fine or forfeiture is sus-  
18 pended in whole or in part, the penalty assessment shall be reduced in pro-  
19 portion to the suspension.

20        ••87b1186/2 •• 87b1226/2••SECTION 1893p. 165.88 of the statutes is  
21 created to read:

22        165.88 LAW ENFORCEMENT ASSISTANCE. (1) In this section, "strike"  
23 includes any strike or other concerted stoppage of work by employees, or any  
24 concerted slowdown or other concerted interruption of operations or services  
25 by employees, or any concerted refusal to work or perform their usual duties as  
26 employees.

27        (2) The department of justice shall make payments to cities for costs  
28 incurred in calendar years 1987 and 1988. A city may apply for reimbursement

1 for 50% of its law enforcement overtime costs which are incurred regarding  
2 maintenance of the peace at the site of any strike which is in active  
3 progress.

4 (3) The department of justice shall make payments from the appropriation  
5 under s. 20.455 (2) (jc) to each city which is entitled to reimbursement under  
6 sub. (2) and which makes an application in accordance with rules promulgated  
7 under sub. (5), subject to the following limitations:

8 (a) A city shall not receive more than \$200,000 for costs incurred in any  
9 calendar year.

10 (b) The department of justice may not expend more than \$350,000 for costs  
11 incurred in any calendar year. If the total amount of the eligible claims for  
12 reimbursement under sub. (2) exceeds \$350,000 for a calendar year, the  
13 department shall prorate the payments.

14 (4) For costs incurred in calendar year 1987, the department shall make  
15 payments in fiscal year 1987-88. For costs incurred in calendar year 1988,  
16 the department shall make payments in fiscal year 1988-89.

17 (5) The department of justice shall promulgate rules to administer this  
18 section. On or before January 1, 1988, the department shall promulgate emer-  
19 gency rules under s. 227.24 to administer this section, regardless of whether  
20 the criteria under s. 227.24 (1) (a) have been met. Upon request, the  
21 department of industry, labor and human relations shall provide the department  
22 of justice with technical assistance with rules pertaining to the determi-  
23 nation of the existence of a strike.

24 (6) This section does not apply on or after July 1, 1989.

25 ••87b0180/1••SECTION 1894m. 166.03 (2) (a) 5 of the statutes is amended  
26 to read:

27 166.03 (2) (a) 5. Provide assistance to the Wisconsin wing of the civil  
28 air patrol from the appropriation under s. 20.505 (2) ~~(f)~~ (g) for the purpose

1 of enabling the patrol to perform its assigned missions and duties as pre-  
2 scribed by U.S. air force regulations. Expenses eligible for assistance are  
3 aircraft acquisition and maintenance, communications equipment acquisition and  
4 maintenance and office staffing and operational expenses. The civil air  
5 patrol shall submit vouchers for expenses eligible for assistance to the  
6 division.

7 ••87-2293/2••SECTION 1895. 166.03 (2) (b) 8 of the statutes is amended to  
8 read:

9 166.03 (2) (b) 8. Make payments from the appropriation under s. 20.505  
10 (2) (e) to reimburse the federal government for the amounts advanced to pay  
11 ~~any required state~~ this state's share of grants to individuals and to provide  
12 ~~the state's share of grants~~ 50% of any required state share of contributions  
13 to local governments as defined in 42 USC 5122 (b) (6) for major disaster  
14 recovery assistance. Payment of this state's share of any contribution to a  
15 local government under this subdivision is contingent upon copayment of 50% of  
16 that share by the local government, but not to exceed 12.5% of the total eli-  
17 gible cost of assistance.

18 ••87b0611/1 •• 87b1226/2••SECTION 1895c. 167.26 (4) of the statutes is  
19 amended to read:

20 167.26 (4) This section shall not apply to ice holes caused by hydro-  
21 electric dams or by air bubbler systems installed by the corps of engineers  
22 for navigational purposes.

23 ••87b1663/1••SECTION 1895e. 167.31 (4) (c) of the statutes is amended to  
24 read:

25 167.31 (4) (c) Subsection (2) (b) and (c) does not apply to the holder of  
26 a permit under s. 29.09 (9) who is hunting from a standing automobile motor  
27 vehicle, as defined in s. 29.09 (9) (a), in accordance with that subsection.

1       ••87a0891/3••SECTION 1895g. 168.12 (1) of the statutes is amended to  
2 read:

3       168.12 (1) The department shall demand and receive within 2 weeks after  
4 demand, from the owner or other person for whom it inspects any petroleum  
5 product, an inspection fee at a rate prescribed by the department by rule for  
6 each 50 gallons from which the sample was taken. In addition to the inspec-  
7 tion fee, the department shall charge a fee for each 50 gallons from which a  
8 sample was taken in an amount to be prescribed by the department by rule that  
9 would annually generate ~~\$66,000~~ \$1,566,000 for fiscal years 1987-88 and  
10 1988-89, and \$66,000 in the fiscal years thereafter. Such fees shall be a  
11 lien on the products so inspected.

12       ••87a1027/3••SECTION 1895gm. 168.12 (1m) of the statutes is created to  
13 read:

14       168.12 (1m) The department shall charge an additional oil inspection fee  
15 in an amount prescribed by the department that would annually generate  
16 \$5,000,000 plus the amounts in the schedule under s. 20.370 (2) (hr), except  
17 as provided under s. 144.4425 (2m) (a) and (b) and (2n), to be deposited in  
18 the petroleum storage environmental cleanup fund.

19       ••87-1810/2••SECTION 1896. 179.16 (4) of the statutes is repealed and  
20 recreated to read:

21       179.16 (4) The secretary of state shall charge and collect for:

22       (a) Answering a request for verification of the existence or the regis-  
23 tration of a domestic or foreign limited partnership, its name, its current  
24 record office or agent, or the date of registration or filing of a certificate  
25 of limited partnership, the following amounts:

- 26       1. If written, \$4.  
27       2. If conveyed by facsimile machine, \$7.

1 (b) Answering in writing a request for information specified in par. (a)  
2 plus a list of the names and addresses of the general partners and the address  
3 of the record office or, if a foreign limited partnership, its principal  
4 office or other such office required to be maintained in its state of  
5 organization, \$7; and, if the list of general partners exceeds one page, 50  
6 cents for each additional page.

7 ••87-1810/2••SECTION 1897. 179.16 (5) of the statutes is amended to read:

8 179.16 (5) The secretary of state shall charge and collect, for proc-  
9 essing a document required or permitted to be filed under this chapter in an  
10 expeditious manner, or preparing ~~a record~~ the information under sub. (4) in an  
11 expeditious manner, \$25 in addition to the fee required by other provisions of  
12 this chapter.

13 ••87-1810/2••SECTION 1898. 180.87 (1) (r) of the statutes is repealed and  
14 recreated to read:

15 180.87 (1) (r) Answering a request for verification of the existence or  
16 status of a domestic or foreign corporation, its name, its current registered  
17 office or agent, or the date of incorporation or issuance of a certificate of  
18 authority, the following amounts:

19 1. If written, \$4.

20 2. If conveyed by facsimile machine, \$7.

21 ••87-1810/2••SECTION 1899. 180.87 (1) (rm) of the statutes is created to  
22 read:

23 180.87 (1) (rm) Answering in writing a request for information specified  
24 in par. (r) plus a list of the names and addresses of officers and directors,  
25 and the principal place of business of a domestic or foreign corporation, \$7;  
26 and, if the list of officers and directors exceeds one page, 50 cents for each  
27 additional page.

1       ••87-1810/2••SECTION 1900. 180.87 (1) (t) of the statutes is amended to  
2 read:

3       180.87 (1) (t) Processing a document required or permitted to be filed or  
4 recorded under this chapter in an expeditious manner, or preparing ~~a record~~  
5 the information under par. (r) or (rm) in an expeditious manner, \$25 in addi-  
6 tion to the fee required by other provisions of this chapter.

7       ••87-1810/2••SECTION 1901. 181.68 (1) (i) of the statutes is repealed and  
8 recreated to read:

9       181.68 (1) (i) Answering a request for verification of the existence or  
10 status of a corporation, its name, the name and address of its registered  
11 agent, or the date of incorporation, the following amounts:

- 12       1. If written, \$4.  
13       2. If conveyed by facsimile machine, \$7.

14       ••87-1810/2••SECTION 1902. 181.68 (1) (im) of the statutes is created to  
15 read:

16       181.68 (1) (im) Answering in writing a request for information specified  
17 in par. (i) plus a list of the names and addresses of officers and directors,  
18 and the corporation's principal office, \$7; and, if the list of officers and  
19 directors exceeds one page, 50 cents for each additional page.

20       ••87-1810/2••SECTION 1903. 181.68 (1) (k) of the statutes is amended to  
21 read:

22       181.68 (1) (k) Processing a document required or permitted to be filed or  
23 recorded under this chapter in an expeditious manner, or preparing ~~a record~~  
24 the information under par. (i) or (im) in an expeditious manner, \$25 in addi-  
25 tion to the fee required by other provisions of this chapter.

26       SECTION 1903g. 182.24 of the statutes is amended to read:

27       182.24 TRANSFERS FROM JOINT TENANTS. If any security issued by a  
28 corporation, whether or not organized or created under the laws of this state,

1 is registered in the names of 2 or more individuals who are named in the  
2 registration as joint tenants, then any bank, broker, issuer, transfer agent  
3 or purchaser for value, acting either within or without this state in connec-  
4 tion with a sale, exchange, transfer, redemption or retirement of such  
5 security, incurs no liability by ~~reason of~~ treating the interest created by  
6 ~~such the~~ registration as a joint tenancy and, if one or more of ~~such the~~ named  
7 individuals is deceased, incurs no liability by ~~reason of~~ treating the sur-  
8 vivor or survivors as the owner or owners unless ~~such the~~ bank, broker,  
9 issuer, transfer agent or purchaser for value has actual knowledge of a con-  
10 trary adjudication pursuant to under s. 867.04. ~~Nothing in this section shall~~  
11 ~~affect inheritance tax liability for failure to comply with s. 72.29 (2).~~

12 ••87-1810/2••SECTION 1914. 185.83 (1) (intro.) and (a) to (c) of the  
13 statutes are amended to read:

14 185.83 (1) (intro.) The secretary of state shall charge and collect ~~from~~  
15 ~~any cooperative for filing:~~

16 (a) ~~Articles~~ Filing articles for a new cooperative, \$1.25 for each \$1,000  
17 of authorized stock, but in no case less than \$25. A cooperative organized  
18 without capital stock shall pay a fee of \$25.

19 (b) ~~An~~ Filing an amendment to or restatement of the articles or articles  
20 of merger, consolidation or division, \$10, except that no fee may be collected  
21 for an amendment showing only a change of address resulting from the action of  
22 a governmental agency if there is no corresponding change in physical location  
23 and if 2 copies of the notice of the action are submitted to the secretary of  
24 state; and an additional fee of \$1.25 for each \$1,000 of authorized stock not  
25 authorized at the time of amendment, restatement, merger, consolidation or  
26 division.

27 (c) ~~Articles~~ Filing articles or decree of dissolution, \$5.

1       ••87-1810/2••SECTION 1915. 185.83 (1) (f) of the statutes is repealed and  
2 recreated to read:

3       185.83 (1) (f) Answering a request for verification of the existence or  
4 status of an association, its name, the address of its principal office or the  
5 name and address of its registered agent, or the date of incorporation or  
6 issuance of a certificate of authority, the following amounts:

- 7       1. If written, \$4.
- 8       2. If conveyed by facsimile machine, \$7.

9       ••87-1810/2••SECTION 1916. 185.83 (1) (fm) of the statutes is created to  
10 read:

11       185.83 (1) (fm) Answering in writing a request for information specified  
12 in par. (f) plus a list of the names and addresses of officers and directors,  
13 and the association's principal place of business, \$7; and, if the list of  
14 officers and directors exceeds one page, 50 cents for each additional page.

15       ••87-1810/2••SECTION 1917. 185.83 (1) (g) and (h) of the statutes are  
16 amended to read:

17       185.83 (1) (g) A Filing a report of names and addresses of officers or  
18 directors, \$3.

19       (h) Processing a document required or permitted to be filed or recorded  
20 under this chapter in an expeditious manner, or preparing ~~a record~~ the  
21 information under par. (f) or (fm) in an expeditious manner, \$25 in addition  
22 to the fee required by other provisions of this chapter.

23       ••87b1165/1 •• 87b1226/2••SECTION 1917e. 185.981 (1) to (4t) of the  
24 statutes are amended to read:

25       185.981 (1) Cooperative associations may be organized under this chapter  
26 without capital stock, exclusively to establish and operate in the state or in  
27 any county or counties therein a nonprofit plan or plans for sickness care,  
28 including hospital care, for their members and their dependents through con-



1 tracts with physicians, medical societies, chiropractors, optometrists,  
2 dentists, dental societies, hospitals and others.

3 (2) Such associations shall operate only on a cooperative nonprofit basis  
4 and for the purpose of establishing, maintaining and operating a voluntary  
5 nonprofit ~~medical~~ health, dental or vision care plan or plans or for  
6 constructing, operating and maintaining nonprofit hospitals or other facili-  
7 ties whereby sickness care, including hospital, dental or vision care, is  
8 provided at the expense of such association, its members or both, to such  
9 persons or groups of persons as shall become subscribers to such plan, under  
10 contracts which will entitle each such subscriber to definite medical,  
11 surgical, chiropractic, vision, dental or hospital care, appliances and  
12 supplies, by physicians and surgeons licensed and registered under ch. 448,  
13 optometrists licensed under ch. 449, chiropractors licensed under ch. 446 and  
14 dentists licensed under ch. 447 in their offices, in hospitals, in other  
15 facilities and in the home.

16 (3) No cooperative association organized for the purposes provided in ss.  
17 185.981 to 185.983 shall be prevented from contracting with any hospital in  
18 this state for the rendition of such hospital care as is included within such  
19 a plan because such hospital participates in any other such plan, or in a plan  
20 organized and operated under ss. 148.03 and 613.80. No hospital may dis-  
21 criminate against any physician and surgeon, chiropractor or dentist with  
22 respect to the use of such hospital's facilities by reason of his or her  
23 participation in a sickness care plan of a cooperative.

24 (4) No contract by or on behalf of any such cooperative association shall  
25 provide for the payment of any cash, indemnity or other material benefit by  
26 that association to the subscriber or the subscriber's estate on account of  
27 death, illness or injury, nor be in any way related to the payment of any such  
28 benefit by any other agency, but any such association may stipulate in its

1 plan that it will pay any nonparticipating physician and surgeon, optometrist,  
2 chiropractor, dentist or hospital outside of its normal territory for sickness  
3 or hospital care rendered any covered member or a member's covered dependent  
4 who is in need of the benefits of such plan when he or she is outside of the  
5 territory of such association in which the benefits of such plan are normally  
6 available. Any such plan may prescribe monetary limitations with respect to  
7 such extraterritorial benefits.

8 (4t) A sickness care plan operated by a cooperative association is  
9 subject to s. 632.87 (2m) and (3).

10 ••87b1165/1 •• 87b1226/2••SECTION 1917f. 185.982 (title), (1) and (2) of  
11 the statutes are amended to read:

12 185.982 (title) MANNER OF PRACTICING MEDICINE, CHIROPRACTIC AND  
13 DENTISTRY; PAYMENT; PROMOTIONAL EXPENSE. (1) No sickness care plan or con-  
14 tract issued thereunder by such cooperative association shall interfere with  
15 the manner or mode of the practice of medicine, optometry, chiropractic or  
16 dentistry, the relationship of physician, chiropractor, optometrist or dentist  
17 and patient, nor the responsibility of physician, chiropractor, optometrist or  
18 dentist to patient. A plan may require persons covered to utilize health care  
19 providers designated by the cooperative association. The cooperative associ-  
20 ation may provide health care services directly through providers who are  
21 employes of the cooperative association or through agreements with individual  
22 providers or groups of providers organized on a group practice or individual  
23 practice basis. In making such agreements, no plan may refuse to provide  
24 coverage for vision care services or procedures provided by an optometrist  
25 licensed under ch. 449 within the scope of the practice of optometry, as  
26 defined in s. 449.01 (1), if the plan provides coverage for the same services  
27 or procedures when provided by another health care provider.

1 (2) Any cooperative association operating a voluntary sickness care plan  
2 under the provisions of this chapter may pay physicians and surgeons,  
3 optometrists, chiropractors or dentists on a salary, per person or fee-for-  
4 service basis to provide sickness care to members of such association. Every  
5 association shall contract only with its own members for the benefits of any  
6 plan which it operates, but any association which operates a hospital may make  
7 the facilities thereof available to nonmembers and to nonparticipating  
8 physicians, optometrists or dentists.

9 ••87b1165/1 •• 87b1226/2••SECTION 1917g. 185.983 (1) (intro.) of the  
10 statutes is amended to read:

11 185.983 (1) (intro.) Every such voluntary nonprofit sickness care plan  
12 shall be exempt from chs. 600 to 646, with the exception of ss. 601.04,  
13 601.31, 601.43, 601.44, 601.45, 611.67, 619.04, 632.79, 632.87 (2m) and (3)  
14 and 632.895 (5), subch. II of ch. 619 and chs. 609, 630 and 645, but the  
15 sponsoring association shall:

16 ••87b0234/1••SECTION 1917m. 185.983 (3) (b) and (c) of the statutes are  
17 amended to read:

18 185.983 (3) (b) Except as provided in par. (c), par. (a) applies to  
19 plans on and after May 10, 1984, and before July 1, 1988 1989, or the effec-  
20 tive date of the 1989-91 budget bill, whichever is later.

21 (c) If compliance with the requirements of par. (a) during the period  
22 specified in par. (b) would impair any provision of a contract between a  
23 cooperative association and any other person, and if the contract provision  
24 was in existence prior to May 10, 1984, then immediately after the expiration  
25 of all such contract provisions, if before July 1, 1988 1989, or the effective  
26 date of the 1989-91 budget bill, whichever is later, the plan operated by the  
27 cooperative association shall comply with the requirements of par. (a), and if  
28 on or after July 1, 1988 1989, or the effective date of the 1989-91 budget

1 bill, whichever is later, the plan shall provide one period of at least 30  
2 days during which any pharmacist may elect to participate in the plan, as  
3 provided in par. (a), for at least one year.

4 ••87-2275/2••SECTION 1918. 186.29 (1p) (b) of the statutes is amended to  
5 read:

6 186.29 (1p) (b) Mandatory possession. The commissioner shall take pos-  
7 session of the business and property of a credit union that violates s. 186.34  
8 (2) (b), unless the commissioner approves a consolidation under s. 186.31, and  
9 of a credit union that the commissioner is required to liquidate under sub.  
10 (1m) (b).

11 ••87-2275/2••SECTION 1919. 186.34 (2) (b) of the statutes is amended to  
12 read:

13 186.34 (2) (b) Every credit union incorporated under this chapter prior  
14 to July 20, 1985, except a corporate central credit union, shall obtain a  
15 certificate of insurance issued by the national board within 42 54 months  
16 after July 20, 1985. The commissioner may extend for a period not to exceed  
17 12 months the date by which a credit union must obtain a certificate of  
18 insurance upon satisfactory evidence that the credit union has made or is  
19 making a substantial effort to satisfy the conditions precedent to issuance of  
20 the certificate of insurance. Unless the commissioner approves a consoli-  
21 dation under s. 186.31, the commissioner shall liquidate under s. 186.29 any  
22 credit union that fails to comply with this paragraph.

23 ••87-2275/2••SECTION 1920. 186.34 (3) (am) of the statutes is created to  
24 read:

25 186.34 (3) (am) The name of each credit union consolidated under s.  
26 186.31 because it did not comply with sub. (2) (b), after the charters of all  
27 such credit unions have been canceled.

1       ••87b0231/2••SECTION 1920m. 186.35 (3m) of the statutes is created to  
2 read:

3       186.35 (3m) PROHIBITED USE OF FUNDS. Notwithstanding subs. (2) and (3)  
4 (d), none of the corporation's funds may be used to assist member credit  
5 unions to meet the eligibility requirements for obtaining a certificate of  
6 federal share insurance under s. 186.34, unless the commissioner determines  
7 all of the following:

8       (a) The expenditure will enable a member credit union to obtain federal  
9 share insurance.

10       (b) The failure to use the corporation's funds to assist a member credit  
11 union to obtain federal share insurance will result in greater subsequent  
12 expenditures by the corporation.

13       ••87b0822/2 •• 87b1226/2••SECTION 1920mg. 194.03 (5m) of the statutes is  
14 created to read:

15       194.03 (5m) In a case involving a claim by a common motor carrier in  
16 interstate commerce for freight charges:

17       (a) A person may assert as a defense to the claim the existence of a  
18 freight charge agreement between the person and the motor carrier which  
19 applies to the carriage of the freight at issue and which has not been filed  
20 as a tariff with the interstate commerce commission.

21       (b) A court shall request the interstate commerce commission or other  
22 appropriate federal agency to issue an advisory opinion on any issue which the  
23 court determines is within the primary jurisdiction of that agency.

24       ••87b0871/2 •• 87b1226/2••SECTION 1920mr. 195.28 (3) of the statutes is  
25 amended to read:

26       195.28 (3) MAINTENANCE COSTS. Except as otherwise provided in this  
27 subsection, the cost of maintaining crossing protection devices ordered under  
28 sub. (1) shall be the responsibility of the railroad. Any railroad company

1 that incurs expenses for maintenance of signals or other safety devices may  
2 file a claim for reimbursement with the department regardless of the date of  
3 installation of the signals or devices. At the close of each fiscal year the  
4 department shall reimburse claimants under this subsection for 50% of the  
5 costs, as determined by the office, incurred for maintenance of railroad pro-  
6 tection devices from the appropriation under s. 20.395 (2) ~~(gr)~~ (qq). If the  
7 amount in this appropriation is not adequate to fund maintenance reimbursement  
8 under this subsection, the amount shall be prorated in the manner determined  
9 by the office among the claimants filing claims for reimbursement which exceed  
10 \$100,000 in total amount.

11 ••87b1061/2 •• 87b1226/2••SECTION 1920o. 196.01 (2) of the statutes is  
12 amended to read:

13 196.01 (2) "Cellular mobile service provider" means a cellular mobile  
14 radio telecommunications utility subject to s. 196.202 (4) (a) or (b).

15 ••87b0696/1 •• 87b1226/2••SECTION 1920oc. 196.03 (3) of the statutes is  
16 renumbered 196.03 (3) (a) and amended to read:

17 196.03 (3) (a) In the case of a public water utility furnishing water,  
18 the commission shall include, in the determination of water rates, the cost of  
19 fluoridating the water in the area served by the public water utility if the  
20 governing body of the municipality which owns or is served by the public water  
21 utility authorizes the fluoridation of water by the public water utility.

22 ••87b0696/1 •• 87b1226/2••SECTION 1920od. 196.03 (3) (b) of the statutes  
23 is created to read:

24 196.03 (3) (b) In the case of a public utility furnishing water, the  
25 charges for the production, storage, transmission, sale and delivery or fur-  
26 nishing of water for fire protection purposes shall be included in each cus-  
27 tomer's bill for water unless the municipality contracts with the public  
utility to pay the charges.

1       ••87b1061/2   •• 87b1226/2••SECTION 1920og. 196.202 (2) of the statutes is  
2 amended to read:

3       196.202 (2) SOLE UTILITY REGULATED. Except as provided under subs. (3)  
4 and (4), no cellular mobile radio telecommunications utility is subject to  
5 this chapter ~~unless it is the only provider of any specific type of telecom-~~  
6 ~~munications service within the geographic service area in which it is autho-~~  
7 ~~rized to operate by the federal communications commission under 47 USC 154~~  
8 ~~(i).~~

9       ••87b1061/2   •• 87b1226/2••SECTION 1920om. 196.202 (4) of the statutes is  
10 renumbered 196.202 (4) (a).

11       ••87b1061/2   •• 87b1226/2••SECTION 1920or. 196.202 (4) (b) of the statutes  
12 is created to read:

13       196.202 (4) (b) A cellular mobile radio telecommunications utility is  
14 subject to s. 196.203 if it is the only provider of any specific type of  
15 telecommunications service within the geographic service area in which it is  
16 authorized to operate by the federal communications commission under 47 USC  
17 154 (i).

18       ••87b0346/1••SECTION 1920s. 196.856 (1) of the statutes is amended to  
19 read:

20       196.856 (1) The commission shall annually assess against the major  
21 utilities, as defined under s. 144.386 (1) (f), the total, not to exceed  
22 \$400,000, of the amounts appropriated under ss. ~~20.155 (1) (i)~~, 20.370 (2)  
23 (cj) and 20.505 (1) (jm) for acid deposition studies, including the nitrogen  
24 oxide study under s. 144.389 (3), and evaluation and monitoring activities  
25 conducted by ~~the commission~~, the department of natural resources and the  
26 department of administration.

27       ••87b2055/3••SECTION 1920u. 196.857 of the statutes is created to read:

1        196.857 STRAY VOLTAGE PROGRAM ASSESSMENT.    The commission shall assess in  
2 every fiscal year against public utilities and cooperative associations  
3 organized under ch. 185 and producing or furnishing electricity the total of  
4 the amount appropriated for that fiscal year under s. 20.115 (8) (j) and  
5 deposit that amount in the appropriation under s. 20.115 (8) (j).

6        ••87b0986/1 •• 87b1226/2••SECTION 1921e. 215.02 (1) of the statutes is  
7 amended to read:

8        215.02 (1) QUALIFICATIONS, APPOINTMENT AND DUTIES OF DEPUTY COMMISSIONER.

9 No person is eligible for appointment as deputy commissioner unless he or she  
10 has had at least 3 years' actual experience in a savings and loan association  
11 or serving in a savings and loan supervisory authority, or a combination of  
12 both. The commissioner shall appoint the deputy commissioner, ~~with the con-~~  
13 ~~sent of the review board,~~ subject to s. 15.04 (2) and (3). The deputy  
14 commissioner shall possess all powers and perform the duties of the commis-  
15 sioner during a vacancy in that office and during the absence of or inability  
16 of the commissioner to serve.

17        ••87b0457/1••SECTION 1921g. 218.01 (6) (bn) of the statutes is amended to  
18 read:

19        218.01 (6) (bn) 1. Except as provided in subd. 3, the finance charge in a  
20 retail instalment sale which is a consumer transaction as defined in s.  
21 421.301 (13) made on or after November 1, 1981 and before November 1, 1984, ~~or~~  
22 ~~after October 31, 1987,~~ or the refinancing, renewal, extension or modification  
23 on or after November 1, 1981 and before November 1, 1984, ~~or after October 31,~~  
24 ~~1987,~~ of any such retail instalment sale, excluding the cost of insurance, may  
25 not exceed the maximum rate provided in s. 422.201 (2) (bm).

26        2. For any retail instalment sale which is not a consumer transaction as  
27 defined in s. 421.301 (13) and is made on or after November 1, 1981 and before  
28 November 1, 1984, ~~or after October 31, 1987,~~ or for any refinancing, renewal,



1 extension or modification on or after November 1, 1981 and before November 1,  
2 1984, ~~or after October 31, 1987,~~ of any such retail instalment sale, the  
3 maximum finance charges under pars. (b) and (bm) do not apply.

4 3. For any retail instalment sale of a mobile home as defined in s.  
5 218.10 (2) made on or after November 1, 1981 and before November 1, 1984, ~~or~~  
6 ~~after October 31, 1987,~~ or for any refinancing, renewal, extension or modifi-  
7 cation on or after November 1, 1981 and before November 1, 1984, ~~or after~~  
8 ~~October 31, 1987,~~ of any such retail instalment sale, the maximum finance  
9 charges under pars. (b) and (bm) do not apply.

10 ••87b0457/1••SECTION 1921r. 218.01 (6) (bp) of the statutes is amended to  
11 read:

12 218.01 (6) (bp) A retail instalment sale made after October 31, 1984 ~~and~~  
13 ~~before November 1, 1987,~~ is not subject to any maximum finance charge limit.

14 ••87-2096/2••SECTION 1922. 227.01 (13) (jo) of the statutes is amended to  
15 read:

16 227.01 (13) (jo) Relates to any of the procedures authorized or directed  
17 under s. 46.25 (9) (b) ~~to (d)~~ or (c). This paragraph applies after December  
18 31, 1986.

19 ••87-1273/1••SECTION 1923. 227.01 (13) (x) of the statutes is amended to  
20 read:

21 227.01 (13) (x) Establishes rental policies for state-owned housing  
22 ~~approved by the joint committee on finance~~ under s. 16.004 (8).

23 ••87b1203/1 •• 87b1226/2••SECTION 1923c. 227.01 (13) (zd) of the statutes  
24 is created to read:

25 227.01 (13) (zd) Establishes procedures for oil inspection fee collection  
26 and setting an oil inspection fee under s. 144.4425 (2m).

27 ••87b1910/4 •• 87b2007/3••SECTION 1928g. 227.53 (1) (a) of the statutes  
28 is renumbered 227.53 (1) (a) 1 and amended to read:

1        227.53 (1) (a) 1. Proceedings for review shall be instituted by serving a  
2 petition therefor personally or by certified mail upon the agency or one of  
3 its officials, and filing the petition in the office of the clerk of the cir-  
4 cuit court for the county where the judicial review proceedings are to be  
5 held. If the agency whose decision is sought to be reviewed is the tax  
6 appeals commission, the banking review board or the consumer credit review  
7 board, the credit union review board or the savings and loan review board, the  
8 petition shall be served upon both the agency whose decision is sought to be  
9 reviewed and the corresponding named respondent, as specified under par. (b) 1  
10 to 4.

11        2. Unless a rehearing is requested under s. 227.49, petitions for review  
12 under this paragraph shall be served and filed within 30 days after the ser-  
13 vice of the decision of the agency upon all parties under s. 227.48. If a  
14 rehearing is requested under s. 227.49, any party desiring judicial review  
15 shall serve and file a petition for review within 30 days after service of the  
16 order finally disposing of the application for rehearing, or within 30 days  
17 after the final disposition by operation of law of any such application for  
18 rehearing. The 30-day period for serving and filing a petition under this  
19 paragraph commences on the day after personal service or mailing of the deci-  
20 sion by the agency.

21        3. If the petitioner is a resident, the proceedings shall be held in the  
22 circuit court for the county where the petitioner resides, except that if the  
23 petitioner is an agency, the proceedings shall be in the circuit court for the  
24 county where the respondent resides and except as provided in ss. 77.59 (6)  
25 (b), 182.70 (6) and 182.71 (5) (g). The proceedings shall be in the circuit  
26 court for Dane county if the petitioner is a nonresident. If all parties  
27 stipulate and the court to which the parties desire to transfer the proceed-  
28 ings agrees, the proceedings may be held in the county designated by the

1 parties. If 2 or more petitions for review of the same decision are filed in  
2 different counties, the circuit judge for the county in which a petition for  
3 review of the decision was first filed shall determine the venue for judicial  
4 review of the decision, and shall order transfer or consolidation where  
5 appropriate.

6 ••87-0747/3••SECTION 1931. 230.04 (13) of the statutes is created to  
7 read:

8 230.04 (13) The secretary shall do all of the following:

9 (a) Establish standards for plans to increase state employment of recip-  
10 ients of aid under s. 49.19 prepared by agencies under s. 230.147 (1). The  
11 standards shall state the time periods within which these plans shall be  
12 prepared.

13 (b) Review and approve or disapprove plans prepared under s. 230.147 (1)  
14 to ensure compliance with the standards established under par. (a).

15 (c) Monitor, evaluate and make recommendations to agencies to improve  
16 progress toward meeting the goal in s. 230.147 (1).

17 (d) Annually, prepare and submit to the governor and the chief clerk of  
18 each house of the legislature for distribution to the legislature under s.  
19 13.172 (2) a summary of agency progress and recommended actions toward meeting  
20 the goal in s. 230.147 (1).

21 ••87b0173/3••SECTION 1931m. 230.048 (1), (2) and (3) (a) (intro.) of the  
22 statutes are amended to read:

23 230.048 (1) The department shall develop a pilot ~~preposal~~ proposals for  
24 administration of a one or more day care ~~facility~~ facilities located at or  
25 near ~~a place~~ places of employment for state employes, to provide day care  
26 services for children of state employes. The department shall contract with  
27 one or more day care providers who shall operate the day care ~~facility~~

1 facilities. The day care ~~provider~~ providers shall charge a fee to state  
2 employes whose children receive day care services at the ~~facility~~ facilities.

3 (2) The department shall fund ~~90% of the salary of a the start-up sal-~~  
4 aries of day care facility director for 6 months staff and ~~90% of the costs of~~  
5 equipment and of facility rental and remodeling from up to the limits of funds  
6 included in the appropriation under s. 20.512 (1) (b).

7 (3) (a) (intro.) The department shall prepare, with respect to the pilot  
8 day care facility in the city of Madison, a preliminary report and a final  
9 report evaluating all of the following:

10 ••87b0887/1 •• 87b1226/2••SECTION 1931mg. 230.048 (4) of the statutes is  
11 created to read:

12 230.048 (4) The department shall do all of the following:

13 (a) Contract with day care providers under sub. (1) to set fees charged  
14 to an employe for day care services under this section according to the  
15 employe's ability to pay.

16 (b) Promulgate rules to establish and administer the fee structure under  
17 par. (a).

18 ••87b0496/3••SECTION 1933a. 230.08 (2) (e) 1 of the statutes is repealed  
19 and recreated to read:

20 230.08 (2) (e) 1. Administration -- 9.

xxxxNOTE. This bill adds back in a provision similar to what  
the deletion of the separate department of corrections takes out.

21 ••87-2169/1••SECTION 1934. 230.08 (2) (e) 2 of the statutes is amended to  
22 read:

23 230.08 (2) (e) 2. Agriculture, trade and consumer protection -- 7 6.

24 ••87-1340/7••SECTION 1936. 230.08 (2) (e) 3m of the statutes is created  
25 to read:

26 230.08 (2) (e) 3m. Educational communications board -- 4.

1       ••87-2674/1••SECTION 1938. 230.08 (2) (e) 10 of the statutes is amended  
2 to read:

3       230.08 (2) (e) 10. Regulation and licensing -- 3 4.

4       ••87b0480/3••SECTION 1938d. 230.08 (2) (fo) of the statutes is created to  
5 read:

6       230.08 (2) (fo) The executive secretary and personnel of the legislative  
7 council.

8       ••87b0480/3••SECTION 1938t. 230.08 (2) (fr) of the statutes is created to  
9 read:

10       230.08 (2) (fr) The research director of the joint survey committee on  
11 retirement systems.

12       ••87-1340/7••SECTION 1939. 230.08 (2) (fs) of the statutes is created to  
13 read:

14       230.08 (2) (fs) All deputies of department secretaries appointed under s.  
15 15.04 (2) and executive assistants to department secretaries appointed under  
16 s. 15.05 (3), including those appointed by the attorney general and super-  
17 intendent of public instruction.

18       ••87-1340/7••SECTION 1940. 230.08 (2) (g) of the statutes is amended to  
19 read:

20       230.08 (2) (g) ~~One deputy or assistant and one stenographer of appointed~~  
21 ~~by each elective constitutional executive officer, and one deputy or assistant~~  
22 ~~appointed by each elective executive officer except the attorney general and~~  
23 ~~superintendent of public instruction.~~

24       ••87-1340/7••SECTION 1941. 230.08 (2) (L) 1m of the statutes is created  
25 to read:

26       230.08 (2) (L) 1m. Council on criminal justice.

27       ••87b0496/3••SECTION 1941a. 230.08 (2) (L) 1m of the statutes, as created  
28 by 1987 Wisconsin Act .... (this act), is repealed.

1 ••87b0360/1••SECTION 1941m. 230.08 (2) (mp) of the statutes is repealed.

2 ••87-1340/7••SECTION 1943. 230.08 (2) (q) of the statutes is amended to  
3 read:

4 230.08 (2) (q) The state public defender and staff attorney positions in  
5 the office of the state public defender.

6 ••87-1340/7••SECTION 1945. 230.08 (2) (t) of the statutes is repealed.

7 ••87-1340/7••SECTION 1946. 230.08 (2) (we) of the statutes is created to  
8 read:

9 230.08 (2) (we) Professional staff members of the educational communi-  
10 cations board authorized under s. 39.13 (2).

11 ••87-1340/7••SECTION 1947. 230.08 (2) (wr) of the statutes is repealed.

12 ••87-1340/7••SECTION 1948. 230.08 (4) (a) of the statutes is amended to  
13 read:

14 230.08 (4) (a) The number of administrator positions specified in sub.  
15 (2) (e) includes all administrator positions specifically authorized by law to  
16 be employed in a department, board or commission outside the classified  
17 service. In this paragraph, "department" has the meaning given under s. 15.01  
18 (5), "board" means the public defender board, the educational communications  
19 board and the board of vocational, technical and adult education and  
20 "commission" means the public service commission. Notwithstanding sub. (2)  
21 (z), no division administrator position exceeding the number authorized in  
22 sub. (2) (e) may be created in the unclassified service.

23 ••87-2199/6••SECTION 1952. 230.09 (2) (g) of the statutes is amended to  
24 read:

25 230.09 (2) (g) When filling a new or vacant position, if the secretary  
26 determines that the classification for a position is different than that pro-  
27 vided for by the legislature as established by law or in budget  
28 determinations, or as authorized by the joint committee on finance under s.

1 13.10, or as specified by the governor creating positions under s. 16.505 (1)  
2 (c) or (2) or the board of regents of the university of Wisconsin system  
3 creating positions under s. 16.505 (2m), or is different than that of the  
4 previous incumbent, the secretary shall notify the administrator and the  
5 secretary of administration. The administrator shall withhold action on the  
6 selection and certification process for filling the position. The secretary  
7 of administration shall review the position to determine that sufficient funds  
8 exist for the position and that the duties and responsibilities of the pro-  
9 posed position reflect the intent of the legislature as established by law or  
10 in budget determinations, ~~or~~ the intent of the joint committee on finance  
11 acting under s. 13.10, ~~or~~ the intent of the governor creating positions under  
12 s. 16.505 (1) (c) or (2) or the intent of the board of regents of the univer-  
13 sity Wisconsin system creating positions under s. 16.505 (2m). The adminis-  
14 trator may not proceed with the selection and certification process until the  
15 secretary of administration has authorized the position to be filled.

16 ••87b0681/2 •• 87b1226/2••SECTION 1952m. 230.10 (2) of the statutes is  
17 amended to read:

18 230.10 (2) The compensation plan in effect at the time that a repre-  
19 sentative is recognized or certified to represent employees in a collective  
20 bargaining unit and the employee salary and benefit provisions under s. 230.12  
21 (3) (e) in effect at the time that a representative is certified to represent  
22 employees in a collective bargaining unit under subch. V of ch. 111 constitute  
23 the compensation plan or employee salary and benefit provisions for employees in  
24 the collective bargaining unit until a collective bargaining agreement becomes  
25 effective for that unit. If a collective bargaining agreement under subch. V  
26 of ch. 111 expires prior to the effective date of a subsequent agreement, and  
27 a representative continues to be recognized or certified to represent employees  
28 specified in s. 111.81 (7) (a) or employees who have voted to merge a collec-

1 tive bargaining unit with such employees or a representative continues to be  
2 certified to represent solely employees specified in s. 111.81 (7) (b) or (c)  
3 in that collective bargaining unit, the wage rates of the employees in such a  
4 unit shall be frozen until a subsequent agreement becomes effective, and the  
5 compensation plan under s. 230.12 and salary and benefit changes adopted under  
6 s. 230.12 (3) (e) do not apply to employees in the unit.

7 ••87-0747/3••SECTION 1957. 230.147 (1) of the statutes is amended to  
8 read:

9 230.147 (1) Each appointing authority of an agency with more than 100  
10 authorized permanent full-time equivalent positions shall prepare and imple-  
11 ment steps a plan of action to employ persons who, at the time they commence  
12 employment with the agency, receive aid under s. 49.19 with the goal of making  
13 the ratio of those persons occupying permanent positions in the agency to the  
14 total number of persons occupying permanent positions in the agency equal to  
15 the ratio of the average case load receiving aid under s. 49.19 in this state  
16 in the previous fiscal year, as determined by the department of health and  
17 social services, to the average number of persons in the state civilian labor  
18 force in the preceding fiscal year, as determined by the department of  
19 industry, labor and human relations.

20 ••87b0311/1••SECTION 1957m. 230.147 (3) of the statutes is created to  
21 read:

22 230.147 (3) Notwithstanding subs. (1) and (2), the state fair park board  
23 shall make every reasonable effort to employ in permanent full-time equivalent  
24 positions persons who, at the time they commence employment with the state  
25 fair park board, receive aid under s. 49.19. The state fair park board shall  
26 consult with the department of employment relations to assure that its efforts  
27 under this subsection comply with ch. 230.

28 ••87-1071/2••SECTION 1959. 230.36 (1) of the statutes is amended to read:



1        230.36 (1) If a conservation warden, conservation patrol boat captain,  
2 conservation patrol boat engineer, state forest ranger, conservation field  
3 employe of the department of natural resources who is subject to call for fire  
4 control duty, member of the state patrol, state motor vehicle inspector,  
5 lifeguard, excise tax investigator employed by the department of revenue,  
6 special criminal investigation agent employed by the department of justice,  
7 special tax agent, state drivers' license examiner, member of the state fair  
8 police department, university of Wisconsin system police officer and other  
9 state facilities police officer and patrol officer, security officer, watcher,  
10 engineer, engineering aide, building construction superintendent, fire fighter  
11 employed at the Wisconsin veterans home, or guard or institutional aide or a  
12 state probation and parole officer or any other employe whose duties include  
13 supervision and discipline of inmates or wards of the state at a state penal  
14 institution, including the Ethan Allen school or while on parole supervision  
15 outside of the confines of the institutions, or supervision of persons placed  
16 on probation by a court of record, or supervision and care of patients at a  
17 state mental institution, and university of Wisconsin hospital and clinics  
18 suffers injury while in the performance of his or her duties, as defined in  
19 subs. (2) and (3); or any other state employe who is ordered by his or her  
20 appointing authority to accompany any employe listed in this subsection while  
21 the listed employe is engaged in the duties defined in sub. (3), or any other  
22 state employe who is ordered by his or her appointing authority to perform the  
23 duties, when permitted, in lieu of the listed employe and while so engaged in  
24 the duties defined in sub. (3), suffers injury as defined in sub. (2) the  
25 employe shall ~~continue to be fully paid by the employing agency upon the same~~  
26 ~~basis~~ 70% of his or her base salary as paid prior to the injury, with no  
27 ~~deduction from~~ reduction in sick leave credits, compensatory time for overtime  
28 accumulations or vacation and no reduction in the rate of earning sick leave

1 credit or vacation. The ~~full~~ pay shall continue, while the employe is unable  
2 to return to work as the result of the injury, or until the termination of his  
3 or her employment upon recommendation of the appointing authority. At any  
4 time during the employe's period of disability the appointing authority may  
5 order physical or medical examinations to determine the degree of disability  
6 at the expense of the employing agency.

7 ••87b0113/2••SECTION 1960b. 231.01 (1) of the statutes is amended to  
8 read:

9 231.01 (1) "Authority" means the Wisconsin health and educational  
10 facilities authority.

11 ••87b0113/2••SECTION 1960d. 231.01 (4) (a), (b) 1 and 2 and (c) of the  
12 statutes are amended to read:

13 231.01 (4) (a) "Cost" means the sum of all costs incurred by a parti-  
14 cipating health institution or participating educational institution, as  
15 approved by the authority, as are reasonable and necessary to accomplish the  
16 project, exclusive of any private or federal, state or local financial assis-  
17 tance received by the participating health institution or participating  
18 educational institution for the payment of the project cost.

19 (b) 1. The cost incurred by or on behalf of the participating health  
20 institution or participating educational institution of all necessary  
21 developmental, planning and feasibility studies, surveys, plans and  
22 specifications, architectural, engineering, legal or other special services,  
23 the cost of acquisition of land and any buildings and improvements on the  
24 land, site preparation and development including demolition or removal of  
25 existing structures, construction, reconstruction and equipment, including  
26 machinery, fixed equipment and personal property.

1        2. The reasonable cost of financing incurred by a participating health  
2 institution or participating educational institution in the course of the  
3 development of the project to the occupancy date.

4        (c) All rents and other net revenues from the operation of the real  
5 property, improvements or personal property on the project site by a parti-  
6 cipating health institution or participating educational institution on and  
7 after the date on which the contract between a participating health insti-  
8 tution or participating educational institution and the authority was entered  
9 into, but prior to the occupancy date, shall reduce the sum of all costs in  
10 this subsection.

11        ••87b0113/2••SECTION 1960f. 231.01 (4m) of the statutes is created to  
12 read:

13        231.01 (4m) "Educational facility" means a regionally accredited,  
14 private, nonprofit, postsecondary educational institution.

15        ••87b0113/2••SECTION 1960g. 231.01 (5) (a) 4 of the statutes is created  
16 to read:

17        231.01 (5) (a) 4. Any institution, place, building or agency which con-  
18 forms to all of the following:

19        a. Provides medical services, nursing services or personal care services,  
20 as defined in s. 647.01 (6) to (8), in addition to maintenance services, as  
21 defined in s. 647.01 (5), to a person under a contract for the duration of the  
22 person's life or for a term of more than 12 months.

23        b. Is not operated for profit.

24        c. Is owned by one or more governmental units or by one or more orga-  
25 nizations described in section 501 (c) (3) of the internal revenue code, as  
26 defined in s. 71.02 (2) (d).

27        ••87b0113/2••SECTION 1960h. 231.01 (5w) of the statutes is created to  
28 read:

1       231.01 (5w) "Participating educational institution" means a corporation,  
2 agency or association which is authorized by state law to provide or operate  
3 an educational facility and which undertakes the financing and construction or  
4 acquisition of a project or undertakes the refunding or refinancing of obli-  
5 gations or of a mortgage or of advances as provided in this chapter.

6       ••87b0113/2••SECTION 1960j. 231.01 (7) (a) 1 of the statutes is amended  
7 to read:

8       231.01 (7) (a) 1. A specific health facility or educational facility work  
9 or improvement to be refinanced, acquired, constructed, enlarged, remodeled,  
10 renovated, improved, furnished or equipped by the authority with funds pro-  
11 vided in whole or in part under this chapter.

12       ••87b0113/2••SECTION 1960n. 231.01 (7) (a) 4 of the statutes is amended  
13 to read:

14       231.01 (7) (a) 4. Any structure useful for the operation of a health  
15 facility or educational facility, including ~~parking and other~~ facilities or  
16 ~~other~~ supporting service structures essential or convenient for the orderly  
17 conduct of the health facility or educational facility, except that "project"  
18 does not include a parking structure or facility for an educational facility.

19       ••87b0113/2••SECTION 1960q. 231.01 (7) (c) of the statutes is amended to  
20 read:

21       231.01 (7) (c) "Project" may include any combination of projects under-  
22 taken jointly by any participating health institution or participating educa-  
23 tional institution with one or more other participating health institutions or  
24 participating educational institutions.

25       ••87b0113/2••SECTION 1960s. 231.02 (1) of the statutes is amended to  
26 read:

27       231.02 (1) There is created a public body politic and corporate to be  
28 known as the "Wisconsin Health and Educational Facilities Authority". The

1 authority shall consist of 7 members nominated by the governor, and with the  
2 advice and consent of the senate appointed for staggered 7-year terms. Mem-  
3 bers shall be residents of the state, and not more than 4 may be members of  
4 the same political party. The terms of the members of the authority expire on  
5 June 30, one in each succeeding year. Each member's appointment remains in  
6 effect until a successor is appointed. Annually, the governor shall appoint  
7 one member as chairperson and the authority shall elect one member as vice  
8 chairperson.

9 ••87b0113/2••SECTION 1960w. 231.02 (6) (b) of the statutes is amended to  
10 read:

11 231.02 (6) (b) Notwithstanding any other provision of law, it is not a  
12 conflict of interest or violation of this section or of any other law for a  
13 trustee, director, officer or employee of a participating health institution or  
14 participating educational institution or for a person having the required  
15 favorable reputation for skill, knowledge and experience in state and municip-  
16 al finance or for a person having the required favorable reputation for  
17 skill, knowledge and experience in the field of health facility or educational  
18 facility architecture to serve as a member of the authority; if in each case  
19 to which par. (a) is applicable, the trustee, director, officer or employee of  
20 the participating health institution or participating educational institution  
21 abstains from discussion, deliberation, action and vote by the authority in  
22 specific respect to any undertaking pursuant to this chapter in which his  
23 participating health institution or participating educational institution has  
24 an interest, or the person having the required favorable reputation for skill,  
25 knowledge and experience in state and municipal finance abstains from  
26 discussion, deliberation, action and vote by the authority in specific respect  
27 to any sale, purchase or ownership of bonds of the authority in which any  
28 business of which such person is a participant, owner, officer or employee has

1 a past, current or future interest, or such person having the required favor-  
2 able reputation for skill, knowledge and experience in the field of health  
3 facility or educational facility architecture abstains from discussion,  
4 deliberation, action and vote by the authority in specific respect to con-  
5 struction or acquisition of any project of the authority in which any business  
6 of which such person is a participant, owner, officer or employe has a past,  
7 current or future interest.

8 ••87b0113/2••SECTION 1960y. 231.03 (5) of the statutes is amended to  
9 read:

10 231.03 (5) Determine the location and character of any project to be  
11 financed under this chapter, and construct, reconstruct, remodel, maintain,  
12 enlarge, alter, add to, repair, lease as lessee or lessor and regulate the  
13 same, enter into contracts for any such purpose, enter into contracts for the  
14 management and operation of a project or other health facilities or educa-  
15 tional facilities owned by the authority, and designate a participating health  
16 institution or participating educational institution as its agent to determine  
17 the location and character of a project undertaken by the participating health  
18 institution or participating educational institution under this chapter and as  
19 the agent of the authority, to construct, reconstruct, remodel, maintain,  
20 manage, enlarge, alter, add to, repair, operate, lease as lessee or lessor and  
21 regulate the same, and as the agent of the authority, to enter into contracts  
22 for any such purpose, including contracts for the management and operation of  
23 such project or other health facilities or educational facilities owned by the  
24 authority.

25 ••87b0113/2••SECTION 1961c. 231.03 (6) (a) 3. g of the statutes is  
26 created to read:

27 231.03 (6) (a) 3. g. The acquisition, construction, renovation, improve-  
28 ment or equipping of a health facility described in s. 231.01 (5) (a) 4,

1 including projects begun before the effective date of this subdivision ....  
2 [revisor inserts date].

3 ••87-2076/6••SECTION 1962. 231.03 (6) (b) of the statutes is amended to  
4 read:

5 231.03 (6) (b) Refinance outstanding debt of any participating health  
6 institution if the department of health and social services certifies that  
7 refinancing will result in a reduction in the participating health  
8 institution's rates below the rates which would have otherwise prevailed,  
9 except that the authority may not refinance any office or clinic of a person  
10 licensed under ch. 446, 447, 448, 449 or 455 and except that this certifi-  
11 cation is not required for the refinancing for a participating health insti-  
12 tution that operates a ~~nursing home as defined under s. 50.01 (3) or a commu-~~  
13 ~~nity-based residential facility that is licensed under s. 50.03 and that is~~  
14 ~~certified by the department as a provider of medical assistance~~ as defined  
15 under s. 49.45 (6m) (a) 3.

16 ••87b0113/2••SECTION 1962a. 231.03 (6) (c) of the statutes is created to  
17 read:

18 231.03 (6) (c) Finance any project undertaken for an educational  
19 facility.

20 ••87b0113/2••SECTION 1962b. 231.03 (6) (d) of the statutes is created to  
21 read:

22 231.03 (6) (d) Refinance outstanding debt of any participating educa-  
23 tional institution.

24 ••87b0113/2••SECTION 1962c. 231.03 (7) of the statutes is amended to  
25 read:

26 231.03 (7) Fix and revise from time to time and charge and collect rates,  
27 rents, fees and charges for the use of and for the services furnished or to be  
28 furnished by a project or other health facilities or educational facilities

1 owned by the authority or any portion thereof, contract with any person in  
2 respect thereto and coordinate its policies and procedures and cooperate with  
3 recognized health facility or educational facility rate setting mechanisms.

4 ••87b0113/2••SECTION 1962d. 231.03 (8) of the statutes is amended to  
5 read:

6 231.03 (8) Adopt rules for the use of a project or other health facility  
7 or educational facility or any portion of the project or facility owned,  
8 financed or refinanced in whole or in part by the authority, including any  
9 property used as security for a loan secured through, from or with the assis-  
10 tance of the authority. The authority may designate a participating health  
11 institution or participating educational institution as its agent to establish  
12 rules for the use of a project or other health facilities or educational  
13 facilities undertaken for that participating health institution or participa-  
14 ting educational institution. The rules shall ensure that a project, health  
15 facility, educational facility or property may not be used primarily for  
16 sectarian instruction or study or as a place for devotional activities or  
17 religious worship.

18 ••87b0113/2••SECTION 1962e. 231.03 (11) of the statutes is amended to  
19 read:

20 231.03 (11) Establish or contract with others to carry out on its behalf  
21 a health facility or educational facility project cost estimating service, and  
22 make this service available on all projects to provide expert cost estimates  
23 and guidance to the participating health institution or participating educa-  
24 tional institution and to the authority. To implement this service and,  
25 through it, to contribute to cost containment, the authority may require such  
26 reasonable reports and documents from health facility or educational facility  
27 projects as are required for this service and for the development of cost



1 reports and guidelines. The authority shall appoint a technical committee on  
2 health facility or educational facility project costs and cost containment.

3 ••87b0113/2••SECTION 1962f. 231.03 (13) of the statutes is amended to  
4 read:

5 231.03 (13) Make loans to any participating health institution or parti-  
6 cipating educational institution for the cost of a project in accordance with  
7 an agreement between the authority and the participating health institution or  
8 participating educational institution. The authority may secure the loan by a  
9 mortgage or other security arrangement on the health facility or educational  
10 facility granted by the participating health institution or participating  
11 educational institution to the authority. The loan may not exceed the total  
12 cost of the project as determined by the participating health institution or  
13 participating educational institution and approved by the authority.

14 ••87b0113/2••SECTION 1962g. 231.03 (14) of the statutes is amended to  
15 read:

16 231.03 (14) Make loans to a health facility or educational facility for  
17 which bonds may be issued under sub. (6) (b) or (d) to refinance the health  
18 facility's or educational facility's outstanding debt. The authority may  
19 secure the loan or bond by a mortgage or other security arrangement on the  
20 health facility or educational facility granted by the participating health  
21 institution or participating educational institution to the authority.

22 ••87b0113/2••SECTION 1962h. 231.03 (15) of the statutes is amended to  
23 read:

24 231.03 (15) Mortgage all or any portion of a project and other health  
25 facilities or educational facilities and the site thereof, whether owned or  
26 thereafter acquired, for the benefit of the holders of bonds issued to finance  
27 the project ~~or~~ health facilities or educational facilities or any portion  
28 thereof or issued to refund or refinance outstanding indebtedness of parti-

1 cipating health institutions or educational institutions as permitted by this  
2 chapter.

3 ••87b0113/2••SECTION 1962i. 231.03 (16) of the statutes is amended to  
4 read:

5 231.03 (16) Lease to a participating health institution or participating  
6 educational institution the project being financed or other health facilities  
7 or educational facilities conveyed to the authority in connection with such  
8 financing, upon such terms and conditions as the authority deems proper, and  
9 charge and collect rents therefor and terminate any such lease upon the fail-  
10 ure of the lessee to comply with any of the obligations thereof; and include  
11 in any such lease, if desired, provisions that the lessee thereof shall have  
12 options to renew the term of the lease for such periods and at such rent as  
13 the authority determines or to purchase all or any part of the health facili-  
14 ties or educational facilities or that, upon payment of all of the indebted-  
15 ness incurred by the authority for the financing of such project or health  
16 facilities or educational facilities or for refunding outstanding indebtedness  
17 of a participating health institution or participating educational  
18 institution, the authority may convey all or any part of the project or such  
19 other health facilities or educational facilities to the lessees thereof with  
20 or without consideration.

21 ••87b0113/2••SECTION 1962j. 231.03 (17) of the statutes is amended to  
22 read:

23 231.03 (17) Charge to and apportion among participating health insti-  
24 tutions and participating educational institutions its administrative costs  
25 and expenses incurred in the exercise of the powers and duties conferred by  
26 this chapter.

27 ••87b0113/2••SECTION 1962k. 231.03 (18) of the statutes is amended to  
28 read: